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*Attorneys for Plaintiff/Counter-Defendant HSBC
Bank USA, National Association, as Trustee*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HSBC BANK USA, NATIONAL
ASSOCIATION, AS TRUSTEE FOR
PEOPLE'S CHOICE HOME LOAN
SECURITIES CORP., PEOPLE'S
CHOICE HOME LOAN SECURITIES
TRUST SERIES 2005-1, MORTGAGE-
BACKED NOTES, SERIES 2005-1.

Plaintiff.

vs

SFR INVESTMENTS POOL 1 LLC, a Nevada limited liability company;
BELCREST HOMEOWNERS ASSOCIATION, a Nevada non-profit corporation.

Defendant.

SFR INVESTMENTS POOL 1, LLC, a Nevada limited liability company,

Counter/Cross-claimant,

vs.

HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR PEOPLE'S CHOICE HOME LOAN SECURITIES CORP., PEOPLE'S CHOICE HOME LOAN SECURITIES TRUST SERIES 2005-1, MORTGAGE-BACKED NOTES, SERIES 2005-1; AND MARILU AGUILERA, an individual,

Counter/Cross-defendants.

Case No. 2:16-cv-02762-RFB-NJK

STIPULATION AND ORDER
TO 1) DISMISS WITH
PREJUDICE CLAIMS
BETWEEN
PLAINTIFF/COUNTER-
DEFENDANT HSBC BANK
USA, NATIONAL
ASSOCIATION, BELCREST
HOMEOWNERS
ASSOCIATION AND
DEFENDANT/COUNTER-
CLAIMANT SFR
INVESTMENTS POOL 1, LLC;
AND 2) LIFT STAY

1 Pursuant to Local Rules LR IA 6-1 and LR 26-4, Plaintiff/Counter-defendant
2 HSBC Bank USA, National Association, as Trustee for People's Choice Home Loan
3 Securities Corp., People's Choice Home Loan Securities Trust Series 2005-1,
4 Mortgage-Backed Notes, Series 2005-1 ("Trustee"), Defendant/Counterclaimant
5 SFR Investment Pools 1, LLC ("SFR"), and Defendant Belcrest Homeowners
6 Association (the "Association") (collectively, the "Parties") hereby stipulate as
7 follows:

8 1. This action concerns title to real property commonly known as 5880
9 Sakhalin Avenue, Las Vegas, Nevada ("Property") following a homeowner's
10 association foreclosure sale conducted on July 12, 2013, with respect to the
11 Property.

12 2. As it relates to the Parties, a dispute arose regarding that certain Deed
13 of Trust recorded against the Property in the Official Records of Clark County,
14 Nevada as Instrument Number 20041124-0003185 ("Deed of Trust"), and in
15 particular, whether the Deed of Trust continues to encumber the Property.

16 3. The Parties to this Stipulation have settled and agreed to release their
17 respective claims, and further agreed that the claims between them, including the
18 Complaint and Counterclaim, shall be DISMISSED with prejudice;

19 4. This Stipulation in no way affects SFR's cross-claim against Marilu
20 Aguilera;

21 5. The Parties further stipulate and agree that the \$500 in security costs
22 posted by the Trustee on January 12, 2017 pursuant to this Court's Order [ECF No.
23 11] shall be discharged and released to the Ballard Spahr LLP Trust Account;

24 6. The Parties further stipulate and agree that the Lis Pendens recorded
25 against the Property in the Official Records of Clark County, Nevada, as
26 Instruments Number 2017013-00000119 be, and the same hereby is, EXPUNGED.

27 7. The Parties further stipulate and agree that a copy of this Stipulation
28 and Order may be recorded with the Clark County Recorder;

8. The Parties further agree to lift the stay entered July 13, 2018 [ECF No. 82];

3 9. This case shall remain open until such time as SFR resolves its
4 pending cross-claim against Marilu Aguilera; and

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1 10. Each party in this case number 2:16-cv-02762-RFB-NJK shall bear its
2 own attorneys' fees and costs.

3 Dated: December 11, 2018

4 BALLARD SPAHR LLP

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33 *Attorney for Defendant Belcrest
34 Homeowners Association*

35 IT IS SO ORDERED.

36 
37 RICHARD F. BOULWARE, II
38 UNITED STATES DISTRICT JUDGE

39 DATED this 12th day of December, 2018.